

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

FILED

2020 SEP 18 P 2:24

U.S. DISTRICT COURT  
EASTERN DIST. TENN.

DEPT. CLERK

UNITED STATES OF AMERICA,  
*ex. rel.* JENNIFER STUART MILLER,

THE STATE OF TENNESSEE,  
*ex. rel.* JENNIFER STUART MILLER,

and

COMMONWEALTH OF VIRGINIA, *ex. rel.*  
JENNIFER STUART MILLER,

Plaintiff-Relator

v.

EAST TENNESSEE RECOVERY, PLLC,  
CHAMBLESS RAND JOHNSTON, and  
EMMALEA JOHNSTON,

Defendants,

Civil Action No. 2:18-CV-171  
Greer/Wyrick

**JOINT STIPULATION OF DISMISSAL**

The United States of America, by and through J. Douglas Overbey, United States Attorney for the Eastern District of Tennessee; the State of Tennessee, by and through Herbert H. Slatery, III, Attorney General and Reporter for the State of Tennessee; the Commonwealth of Virginia, by and through Mark R. Herring, Attorney General for Virginia; and Relator Jennifer Stuart Miller, by and through her undersigned counsel (collectively, the "Parties"), pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, hereby stipulate that the Parties have entered into the settlement agreement attached to the Notice of Intervention for Purposes of Settlement filed by the United States, the State of Tennessee, and the Commonwealth of Virginia

[Doc. 26], and the above-styled action shall be dismissed, subject to the terms of the agreement, as follows, with each party to bear its own costs:

(1) As to the United States, the State of Tennessee, and the Commonwealth of Virginia, the action is dismissed with prejudice only as to the Covered Conduct released in the Settlement Agreement;

(2) As to the Relator, the action is dismissed in its entirety, with prejudice.

Dated this 18<sup>th</sup> day of September, 2020.

Respectfully submitted,

J. DOUGLAS OVERBEY  
United States Attorney

By:

  
L. Margaret Harker, Virginia Bar No. 82188  
Robert C. McConkey, III, BPR # 018118  
Assistant U.S. Attorneys  
Office of United States Attorney  
800 Market St., Suite 211  
Knoxville, TN 37902  
(865) 545-4167  
[Margaret.Harker@usdoj.gov](mailto:Margaret.Harker@usdoj.gov)  
[Robert.Mcconkey@usdoj.gov](mailto:Robert.Mcconkey@usdoj.gov)

HERBERT H. SLATERY III  
Tennessee Attorney General and Reporter

By: Nate Casey / *H.M. Miller*  
w/permission  
Nate Casey, TN Bar No. 031060  
Assistant Attorney General  
Medicaid Fraud and Integrity Division  
Office of the Tennessee Attorney General  
P.O. Box 20207, Nashville, Tennessee 37202  
Ph: (615) 741-2935  
[nate.casey@ag.tn.gov](mailto:nate.casey@ag.tn.gov)

MARK R. HERRING  
Virginia Attorney General

By: Airen Adamonis / *H.M. Miller*  
w/permission  
Airen B. Adamonis, Virginia Bar No. 86320  
Assistant Attorney General  
Office of the Attorney General  
202 North 9<sup>th</sup> Street  
Richmond, VA 23219  
Ph: (804) 786-5889  
[AAdamonis@oag.state.va.us](mailto:AAdamonis@oag.state.va.us)

ATTORNEYS FOR RELATOR

By: Chris McCarty / *H.M. Miller*  
w/permission  
Chris W. McCarty, TN Bar No. 25551  
Lewis, Thomason, King, Krieg & Waldrup, P.C.  
One Center Square, Fifth Floor  
620 Market Street  
Knoxville, TN 37901  
[CMcCarty@LewisThomason.com](mailto:CMcCarty@LewisThomason.com)

By: Link Gibbons / *H.M. Miller*  
w/permission  
Link A. Gibbons, TN Bar No. 022799  
Law Office of Link A. Gibbons  
P.O. Box 2248  
Morristown, TN 37816  
[Link@linkgibbonslaw.com](mailto:Link@linkgibbonslaw.com)

## CERTIFICATE OF SERVICE

I hereby certify that on September 18, 2020, a true and correct copy of the foregoing Notice of Intervention for Purposes of Settlement was sent via email and mailed first class, postage prepaid to the following:

Chris W. McCarty  
Lewis, Thomason, King, Krieg & Waldrup, P.C.  
One Center Square, Fifth Floor  
620 Market Street  
Knoxville, TN 37901  
CMcCarty@LewisThomason.com

Link A. Gibbons  
Law Office of Link A. Gibbons  
P.O. Box 2248  
Morristown, TN 37816  
link@linkgibbonslaw.com

*Attorneys for Relator*

A handwritten signature in black ink, appearing to read "L. Margaret Harker", written over a horizontal line.

L. Margaret Harker  
Assistant U.S. Attorney